

October, 2011

Internal Application for Access to Vital Statistics and Hospital Discharge Data

The Office of Epidemiology and Scientific Support (OESS) maintains Vital Statistics (VS) and Hospital Discharge (MHDDS) data. Epidemiologists in the Public Health and Safety Division (PHSD) may apply for direct access to these data. Some data include Protected Health Information (PHI), which are strictly confidential under the Montana Constitution, Montana statutes, the federal Health Insurance Portability and Accountability Act (HIPAA) and other federal regulations. Other data are made available to PHSD through Memoranda of Agreement that restrict their use and redistribution. In addition, some users may want the VS or MHDDS staff to conduct analyses on their behalf from files not generally made available, or that produce data at very fine levels of resolution that would not be released to the public.

This application represents OESS's due diligence to comply with state and federal regulations. It may be used by PHSD staff to request direct access to VS and MHDDS data, or to request confidential information generated by custom analyses from VS or MHDDS staff. Requests must be renewed annually.

The data reside on secure state computer drives. No copies of the data may be made on or moved to any portable storage medium or device (e.g., CDs, flash drives) and no copies of the data may leave the state system. Data may not be transmitted by e-mail or File Transfer Service. Users should create their own subfolders on the parent secure drive to store their projects. Data may not be stored on other drives. Hard copies of analyses provided by VS or MHDDS staff must be treated with the same care as hard copies of confidential patient information, kept in locked storage when not in use, and shredded when no longer needed.

Users may not release all or part of any VS or MHDDS data set to any other individual or entity, public or private. This includes sharing data with colleagues within PHSD. Each potential user must submit an individual application.

Users may report only aggregate statistics based on data received from these systems, in compliance with the data suppression guidelines described in "Guidelines for the Release of Public Health Data Derived from Personal Health Information" released in September, 2011 by the OESS (attached). These guidelines apply to de-identified and well as identified data.

Any report or analysis derived from these data must contain one of the following statements:

Data used in this [study/report] were supplied by the Vital Statistics Analysis Unit, Montana Department of Public Health and Human Services. The authors of this document are responsible for all analyses and conclusions reported.

Data used in this [study/report] were supplied by the Montana Hospital Discharge Data System of the Montana Department of Public Health and Human Services. The data are made available through Memoranda of Agreement with the Montana Hospital Association and the State Hospital at Warm Springs and are the property of those organizations. The authors of this document are responsible for all analyses and conclusions reported.

Aggregate statistics based on data provided through this agreement must be consistent with those released by the Office of Vital Statistics or the Montana Hospital Discharge Data System. It is the responsibility of the user to ensure this consistency prior to releasing any aggregate reports.

☐ Initial request Or ☐ Annual renewal

Name: _____ Date: _____

Division and program: _____

Building and office number: _____

Phone: _____ E-mail: _____

CS number (to allow IT to give access to restricted drives): _____

Data set(s) requested (you may check all that apply):

Vital Statistics

☐ Access to de-identified birth or death files

☐ Access to identified birth or death files

☐ Analysis of fetal death files performed by VS staff

☐ Other analysis performed by VS staff

Please explain why you need identified data.

Montana Hospital Discharge Data System

☐ Access to MHDDS data files without county of residence information

☐ Access to MHDDS data files with county of residence information

☐ Analysis performed by MHDDS staff

Please explain why you need county information. The MOA between MHDDS and the Montana Hospital Association explicitly forbids identifying hospitals or providers as well as individuals. The agreement also explicitly forbids comparisons between hospitals or providers. County level analyses may be problematic because many counties in Montana have only one hospital.

Are you requesting

- ☐ Analyses to be performed by VS or MHDDS staff at a level that would not be released to the public? These results may be used for internal programmatic activities but may not be shared with third parties.
- ☐ Ongoing access? You will be given access to the secure parent drive where the files are stored.
- ☐ Data for a one-time project? A data set will be created for you. Please list specific data elements needed below.

Data elements needed for a one-time project, including year(s):

For all projects:

Name of project and brief description of analyses and anticipated products:

Brief description of dissemination plan. Please be sure to supply copies (preferably electronic) of products generated to the OEES. We use these to document the importance of the data sets to funders.

Agreement

- I understand VS and MHDDS data are to be used solely in conduct of the agency's official duties.
- I understand that personal, institutional, and provider identifiers on all VS and MHDDS records are strictly confidential and may not be included in reports or otherwise released.
- I understand that institutions or providers may not be compared in any reports based on VS or MHDDS data.
- I agree not to release, or allow to be released, any data sets obtained through this agreement to any other individual, organization, or entity. This restriction includes sharing access with colleagues.
- I agree to store the data only on the secure parent drive.
- I agree not to copy any part of the data to portable media or devices such as CDs or flash drives, and not to transmit data electronically such as via email or file transfer service.
- I agree not to use access to these data to respond to queries or requests for data or analysis from outside PHSD. Such requests will be referred to VS or MHDDS.
- I understand that these data may be used for grant applications and compliance with associated reporting requirements at levels of detail that may not otherwise be permitted.
- I agree not to attempt to identify individuals or institutions in de-identified files, and not to attempt to follow back or contact individuals or institutions in identified files.
- I have read and agree to abide by the "Guidelines for the Release of Public Health Data Derived from Personal Health Information."
- I agree to release only aggregate statistics in any reports based on these data.
- I understand that it is my responsibility to ensure that aggregate statistics I release based on these data are consistent with those released by the VS or MHDDS programs.
- I understand that this Agreement is subject to annual renewal.
- **I understand that violation of the terms of this agreement will automatically result in voiding this agreement and loss of access to the data, and may lead to disciplinary action and legal prosecution under the provisions of relevant Montana statutes.**

Name (print): _____

Signature: _____ Date: _____

Approvals

	Signature and Date
Program Manager (circle VS or MHDDS)	
Senior Public Health Epidemiologist OESS	
For VS data only: State Registrar	
Administrator PHSD	
___ Ongoing access or ___ Effective dates: _____	
If not approved, Reason:	

If you have questions about this data sharing agreement, please contact Bruce Schwartz, Senior Research Analyst, Vital Statistics Analysis Unit, 406-444-1756, bschwartz@mt.gov; Cody Custis, Epidemiologist, Montana Hospital Discharge Data System, 406-444-6947, ccustis@mt.gov; or Carol Ballew, Senior Public Health Epidemiologist, Office of Epidemiology and Scientific Support, 406-444-6988, cballew@mt.gov